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August 3, 2012

VIA ECF

Magistrate Judge Arlene R. Lindsay
Long Island Federal Courthouse
814 Federal Plaza
Central Islip, New York 11722-4451

Re: *Nancy Breslin v. United Airlines, Inc.*
Docket Number: 1:11-CV-04927(LDW) (ARL)
C & F Ref: AUB/07686

Dear Magistrate Judge Lindsay:

We are counsel for United Airlines, Inc. ("United") and write to apprise you of the status of discovery in the above-reference action and to request a thirty (30) day extension of discovery. The discovery extension is needed to allow Plaintiff time to provide medical and social media authorizations in accordance with the instructions given by Your Honor at the May 22, 2012 status conference. United will also require time to process the authorizations with the various medical and service providers. This is United's second request for an extension of discovery. We also respectfully request that the Court set deadlines for expert disclosures, which were not identified in the prior Scheduling Orders.

This personal injury action by Nancy Breslin arises from Ms. Breslin's fall as she was exiting a United van during the course of her employment with British Airways PLC at John F. Kennedy International Airport ("JFK") on July 15, 2008. Ms. Breslin claims she sustained a knee injury which resulted in her having knee replacement surgery in September 2010. Thus far, the Parties have completed the depositions of Plaintiff and United, and Plaintiff has undergone a medical examination by Defendant's consultant. Plaintiff has also provided executed authorizations that allowed United to obtain some of her medical records, although one authorization, for Plaintiff's pre-accident orthopedist, is outstanding.

On May 22, 2012, Your Honor held a telephonic conference to discuss United's request to obtain medical and social media/email account authorizations. Plaintiff's counsel agreed to provide the medical authorizations. With respect to the social media/email account authorizations, Your Honor granted United's request upon the conditions that: (1) United first serve Interrogatories upon Plaintiff to determine what electronic services Plaintiff utilizes and when she began using

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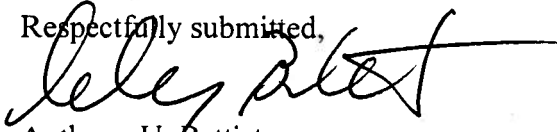
the services; and, (2) to the extent that Plaintiff maintained social media and email accounts, the authorizations be limited to two, two-month periods. United served Interrogatories and a demand for authorizations on May 31, 2012. On June 25, 2012, Plaintiff served responses to the Interrogatories, which indicate that Plaintiff maintains an AOL email account and Facebook account, but did not produce the authorizations. On August 2, 2012, Plaintiff's counsel informed us that he has concerns about the breadth of the email and social media authorizations, and he would not confirm if and when he would produce executed authorizations.

Based on the additional time needed by Plaintiff to decide whether to provide authorizations, and for Defendant to process the authorizations once received, it is doubtful that United will be able to obtain this discovery by the current August 21, 2012 discovery deadline. Accordingly, United respectfully requests that Your Honor extend the discovery deadline by an additional thirty (30) days to allow Plaintiff to serve the executed authorizations and for United to process the authorizations with the appropriate third parties. In the event Plaintiff's counsel remains unwilling to produce the Court-ordered authorizations, we will seek intervention to enforce the May 22, 2012 Order.

Lastly, with respect to expert discovery, we would be grateful if the Court would set a deadline for expert disclosures as this deadline does not appear in the prior Scheduling Orders.

United is available to discuss these discovery issues with the Court at its convenience.

Respectfully submitted,



Anthony U. Battista
Mary Dow

AUB/cv
Enclosures

cc: George R. Gridelli, Esq.
Attorney for Plaintiff